

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

**ONE JEFFERSON ROAD
PARSIPPANY, NJ 07054**

(973) 503-5900

FACSIMILE

(973) 503-5950

www.kelleydrye.com

NEW YORK, NY
WASHINGTON, DC
LOS ANGELES, CA
CHICAGO, IL
HOUSTON, TX
STAMFORD, CT
AFFILIATE OFFICE
MUMBAI, INDIA

LAURI A. MAZZUCHETTI

DIRECT LINE: (973) 503-5910

EMAIL: lmazzuchetti@kelleydrye.com

February 11, 2019

By ECF

Hon. Leda Dunn Wettre, U.S.M.J.
United States District Court for District of New Jersey
50 Walnut Street
Newark, NJ 07101

**Re: *Johnson v. Comodo Group, Inc., Case No. 16-cv-04469*
Request to Adjourn Feb. 13, 2019 Conference**

Dear Judge Wettre:

We write on behalf of Comodo Group, Inc. ("CGI") in the above-referenced matter. On February 5, 2019, this Court issued a text order setting an in-person oral argument to address the parties' discovery disputes for February 13, 2019 (Dkt. No. 128). Unfortunately, I have a conflict on that date that I have not been able to resolve, and the other partner working on the case is on vacation this week. We have met and conferred with Plaintiff's counsel and submit this joint request to adjourn the conference until February 20, subject to the Court's availability.

If the Court is unable to hear the parties on February 20, the parties have separate requests for relief.

Plaintiff's Position: In the event the Court is unable to schedule a hearing on February 20, 2019, Plaintiff requests the Court reschedule the hearing at its earliest convenience and permit either party to appear by telephone. The discovery deadline in this matter is March 19, 2019. The dispute at issue concerns, in part, emails Plaintiff requested over six months ago which have not been produced. A hearing at the very end of February or beginning of March that results in the agreed emails being produced will not provide Plaintiff time to review and use the emails and depose necessary persons. Defendant advises it is not available on Feb. 14 or 15. Though Plaintiff too has depositions and mediations over the next several weeks, Plaintiff's counsel will make themselves available, in person or by telephone, on any date the Court sets to resolve the pending disputes.

CGI's Position: In the event the Court is unable to schedule a hearing on February 20, 2019, CGI requests that the argument be rescheduled, subject to the Court's availability, on

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February 25, 26, or March 1. Plaintiff has indicated availability on those same dates, but declined the request to make a joint submission for an in-person conference in hopes that, despite CGI's counsel's unavailability, the Court will compel a telephonic appearance this week. Plaintiff's request for urgency is unnecessary since, as detailed in CGI's February 1, 2019 Response to Plaintiff's letter (Dkt. No. 126), Plaintiff's requests are unwarranted and should be denied.

Respectfully submitted,

KELLEY DRYE & WARREN LLP

/s/ Lauri A. Mazzuchetti

Lauri A. Mazzuchetti

cc: All Counsel of Record (via ECF)